

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Confirmation No.: 5583
)	
Tatsuya MATSUMURA et al.)	Group Art Unit: 2882
)	
Application No.: 10/571,996)	Examiner: Mona M. Sanei
)	
Filed: March 15, 2006)	Allowed: December 24, 2008
)	
For: X-RAY TUBE)	

Commissioner for Patents
MAIL STOP ISSUE FEE
Washington, D.C. 20231
Sir:

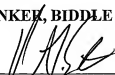
REQUEST FOR ACKNOWLEDGEMENT OF PTO-1449

No initialed copies have been received of the enclosed Form PTO-1449, filed on December 19, 2008, as shown by the attached copies of our PTO postcard receipts.

Please send an initialized copy evidencing consideration of all listed documents, preferably by facsimile, and if any citation is lined through, please be sure to explain why per MPEP 609.
Thank you.

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP



Peter J. Sistare
Reg. No. 48,183

Dated: January 14, 2009

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The official date stamp of the United States Patent and Trademark Office hereon is acknowledgment of the receipt of:

I. Application

- ☐ A. Application Transmittal
- ☐ Provisional
 - ☐ Utility
 - ☐ Design
 - ☐ Plant
- ☐ B. Continuation/Divisional/Continuation-In-Part
- ☐ § 1.53(b)
 - ☐ § 1.53 (f) – fee not included
- ☐ C. Specification:
- ☐ Sheet(s)
- ☐ D. Total Claim(s)
- ☐ E. Sheets of Drawing(s)
- ☐ Formal
 - ☐ Informal (containing Figures)
- ☐ F. Small Entity
- ☐ G. Combined Declaration & Power of Attorney

II. Prosecution Documents

- ☐ A. Notice of Appeal
- ☐ B. Preliminary Amendment
- ☐ C. Claim to Priority & Priority Document(s)
- ☒ D. Information Disclosure Statement
- ☒ PTO Form 1449-1 page
 - ☒ Copy of Chinese Office Action dated October 24, 2008
 - ☒ Copy of two (2) Non-U.S. References

III. Post Issuance

- ☐ A. Maintenance Fee
- ☐ B. Request for Correction of Letters Patent

IV. Recordation

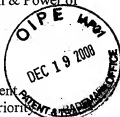
- ☐ A. Assignment Agreement (Number of Patents Covered:)
- ☐ B. Security Interest Agreement (Number of Patents Covered:)
- ☐ C. Change of Name, Merger or Other Transfer Document (Number of Patents Covered:)
- ☐ D. PTO Recordation Form Cover Sheet

VI. Payment

- ☒ Check No. 41425 for \$ 180.00 for Information Disclosure Statement fee
- ☐ Fee Transmittal PTO/SB/17
- ☐ Deposit Account No. _____ for \$ _____

VII. Other

- ☐ A. Transmittal Letter (pages)
- ☐ B. Power of Attorney
- ☐ C. Appointment of Domestic Representative
- ☐ D. Change of Correspondent's Address



Date:

Attorney Docket No./File No.:

Matter No.:

Title:

Inventor(s):

Application/Patent No.:

Attorney:

Secretary:

December 19, 2008

46884-5459

222845

X-RAY TUBE

Tatsuya MATSUMURA, et al.

10/571,996

Paul A. Fournier

Leneetha L. Dyar

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In re Application of:

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For: X-RAY TUBE

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Alexandria, VA 22314

 **COPY**

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Action, a Notice of Allowance, or another action that closes prosecution in the above-referenced application. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00, as specified by § 1.17(p).

A Chinese Office Action dated October 24, 2008 that issued in a Chinese Patent Application and having documents cited therein is attached for the Examiner's consideration.

Except as discussed below, the cited documents are listed on the attached PTO Form 1449 and copies of any non-U.S. patent documents are also attached hereto.

While the Chinese Office Action dated October 24, 2008 additionally cites to US Patent No. 4,119,855, US Patent No. 4,632,871, US Patent No. 5,161,179 and US Patent No. 5,039,203, these documents are not listed on the attached PTO Form 1449 because they were previously cited in an Office Action by the Examiner in this application on November 28, 2007.

The relevance of the attached foreign language documents can be understood from the attached English-language abstracts, and/or from the citations of the documents in the attached Chinese Office Action dated October 24, 2008.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents are material or constitute "Prior Art". If it should be determined that any of the listed documents do not constitute "Prior Art" under the United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over any of the listed documents, should any of the documents be applied against the claims of the present application.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including

any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSIONS OF TIME** in accordance with 37 C.F.R. § 1.13(a)(3).

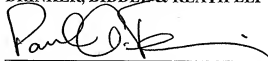
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Dated: December 19, 2008

Respectfully submitted,

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By:



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